

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Michael A. Hammer
v.	:	Mag. No. 22-10145
DELIANG ZHENG	:	<b>ORDER FOR CONTINUANCE</b>

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Edeli Rivera, Assistant U.S. Attorney, appearing), and defendant Deliang Zheng (Edgar Loy Fankbonner, Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) through February 28, 2024.

2. This Court granted ten § 3161(h)(7)(A) continuances previously in this case.

3. Counsel for the parties represented that this additional continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render grand jury proceedings and a trial in this matter unnecessary.

b. Despite the exercise of diligence, the circumstances of this case require giving defense counsel a reasonable amount of additional time for effective preparation.

c. The defendant has consented to an additional continuance.

d. Consequently, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued from the date this Order is signed through February 28, 2024; and it is further

ORDERED that the period from the date this Order is signed through February 28, 2024 shall be excluded in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

s/Michael A. Hammer 1/5/2024  
HON. MICHAEL A. HAMMER  
United States Magistrate Judge

Dated: January \_\_, 2024

Form and entry consented to:

s/ *Edeli Rivera*  
Edeli Rivera  
Assistant U.S. Attorney

/s/ Edgar Loy Fankbonner  
Edgar Loy Fankbonner, Esq.  
Counsel for defendant Deliang Zheng

**It is further ordered that any further continuance applications must be accompanied by a brief and declaration of counsel that more specifically sets forth the circumstances warranting any further delay and why the continuance is appropriate under 18 USC § 3161.**